THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.28020 of 2005

Dated:21.09.2006

Between
The Chittamuru No.3704
Primary Agricultural
Credit Society, Rep., by its President,
V.Rajagopala Reddy

.....Petitioner

and

1.The District Collector, Nellore,
Nellore District and others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.28020 of 2005

ORDER:

This writ petition is filed seeking a Mandamus to declare the notification issued by the 2nd respondent *vide* proceedings in Rc.C.No.2966/2005 dated 1.12.2005 for filling up the vacancy of Fair Price Shop dealership of Eswaravaka, Chittamuru Mandal, Nellore District, without cancelling the licence of the petitioner, as illegal and arbitrary.

It appears that the dealership for the fair price shop No.3704 of Eswaravaka village held by Eswaravaka Primay Agricultural Credit Society merged with the Chittamuru Primary Agricultural Credit Society. In view of the same, the petitioner applied for change of name of the dealership from Eswaravaka Primay Agricultural Credit Society to Chittamuru Primary Agricultural Credit Society for the purpose of running

the Fair Price Shop of Eswaravaka village. The said application is pending consideration before the Revenue Divisional Officer concerned. While so, the 2nd respondent has issued the impugned notification dated 1.12.2005 inviting the applications for filling up the vacancy of fair price dealership No.3704, Eswaravaka village, Chittamuru Mandal, Nellore District. Aggrieved by the same, the present writ petition is filed.

It is the contention of the learned counsel for the respondents that in view of merger of Eswaravaka Primay Agricultural Credit Society with that of Chittamuru Primary Agricultural Credit Society, the fair price shop dealership held by the Eswaravaka Primary Agricultural Credit Society automatically vanishes. Therefore, the notification has been issued.

In view of the pendency of the application filed by the petitioner before the 2nd respondent, the 2nd respondent is directed to dispose of the said representation within a period of four weeks, from the date of receipt of a copy of this order and pass appropriate orders, as per law. Till such time, status quo as on today shall be maintained as to the Fair Price Shop Dealership of Eswaravaka village.

With the above direction, the writ petition is disposed of. No costs.

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21-09-2006

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